

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSEPH STEVENS & COMPANY, INC.

Petitioner,
-against-

No. 07 CV 3385

DAVID CIKANEK,

Honorable Barbara Jones

Respondent.

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**DECLARATION OF RENAN SUGARMAN
IN SUPPORT OF MOTION TO DISMISS OR TRANSFER**

I, RENAN I. SUGARMAN, declare under penalty of perjury that the following is true and correct:

1. I am an attorney admitted to practice before the courts of the states of New York and Illinois. I represented David Cikanek in the underlying arbitration proceeding, David Cikanek v. Joseph Stevens & Co., Inc., Kevin Brody, Leonard Inserra and Ross Inserra, NASD Case No. 06-01868 (the “Arbitration”), in which the award Petitioner Joseph Stevens & Company, Inc. (“Joseph Stevens”) now seeks to vacate was rendered.
2. I submit this declaration in support of David Cikanek’s Motion to Dismiss for lack of personal jurisdiction or alternatively to transfer the proceeding to the United States District Court for the Northern District of Illinois.
3. Although requested by both Mr. Cikanek and the Arbitration panel, at no time did Joseph Stevens ever produce, furnish or provide a copy of any new account agreement(s) executed or signed by Mr. Cikanek.
4. There is nothing in the record of the Arbitration which supports or evidences that any new account agreement Mr. Cikanek signed contained the provisions quoted in paragraphs 6 and 7 of Joseph Steven’s Application.

5. Under the arrangement between my office and Mr. Cikanek, he is responsible for all costs and expenses incurred in connection with opposing Joseph Steven's Application to Vacate.

6. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury the foregoing is true and correct.

Executed this 14th day of June, 2007

/S/RENAN I SUGARMAN
RENAN I SUGARMAN